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Attorneys for Plaintiff

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

| | | |
|---------------------------|---|--------------------------------|
| UNITED STATES OF AMERICA, |) | No. CR 07-0811 SBA |
| |) | |
| Plaintiff, |) | |
| |) | STIPULATION TO SCHEDULE |
| v. |) | HEARING FOR CHANGE OF PLEA AND |
| |) | SENTENCING; ORDER EXCLUDING |
| DALE PATRICK GRABMAN, |) | TIME |
| |) | |
| Defendant. |) | |

Plaintiff, by and through its attorney of record, and defendant, by and through his attorney of record, hereby stipulate and ask the Court to find as follows:

1. The government and defendant have reached a negotiated disposition in which defendant will plead guilty to a binding plea agreement.

2. Accordingly, the parties hereby submit the proposed plea agreement, submitted under separate cover for the Court's consideration pursuant to Federal Rule of Criminal Procedure 11(c)(1)(C). The parties further stipulate and request that the Court find and order the following:

(a) That the parties have submitted a plea agreement for the Court's

1 consideration pursuant to Federal Rule of Criminal Procedure 11(c)(1)(C), and that a hearing for
2 change of plea and imposition of judgment and sentence be scheduled for 10:00 a.m. on
3 September 23, 2008; and that the time period from June 24, 2008, through September 23, 2008,
4 is excludable under the Speedy Trial Act pursuant to 18 U.S.C. § 3161(h)(1)(I) because that
5 period of delay results from consideration by the Court of a proposed plea agreement entered
6 into by the defendant and the government pursuant to Federal Rule of Criminal Procedure
7 11(c)(1)(C).

8
9 IT IS SO STIPULATED.

10 Respectfully submitted,

11 JOSEPH P. RUSSONIELLO
12 United States Attorney

13 

14 Dated: 6/13/08

15 WADE M. RHYNE
Assistant United States Attorney

16 Attorney for Plaintiff
17 UNITED STATES OF AMERICA

18 Dated: 6/13/08

19 /s/
MICHAEL P. SEMANSKY
20 Attorney for Defendant

21 **ORDER**

22 FOR GOOD CAUSE SHOWN, IT IS SO FOUND AND ORDERED THAT:

23 A hearing for change of plea and imposition of judgment and sentence is hereby
24 scheduled for 10:00 a.m. on September 23, 2008. Time is excluded for purposes of the Speedy
25 Trial Act from June 24, 2008, through the hearing date of September 23 2008, pursuant to 18
26 U.S.C. § 3161(h)(1)(I) because that period of delay results from consideration by the Court of a
27 proposed plea agreement entered into by the defendant and the government pursuant to Federal
28 Rule of Criminal Procedure 11(c)(1)(C). The United States Probation Office is ordered to

1 prepare a Presentence Report for defendant.

2
3 DATED: 6/17/08


HONORABLE SAUNDRA BROWN ARMSTRONG
UNITED STATES DISTRICT JUDGE